

Applicants : James G. Retzliff and Scott T. Franson  
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### REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application. No new matter has been entered.

### STATUS OF THE CLAIMS:

Claims 2-10 and 13-51 are pending in the application. Claims 2-6, 9, 10, 13-28, 31-33, and 37-46, are withdrawn from consideration.

### CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

The Examiner rejects Claims 1, 7, 11, 12, 29, 30, 34-36, and 47-49, under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,105,076 to Simmons et al.

Although the Applicants have cancelled Claims 1, 11, and 12, Applicants do not acquiesce in their rejection of these claims and instead cancel these claims without prejudice to pursue these claims and other similar claims in a continuation application.

With respect to Claim 7, Claim 7 has been amended to depend from Claim 47, which has now been rewritten in independent form. Therefore, the rejection of this claim will be addressed in reference to Claim 47 below.

Claim 29 has been amended to more clearly define Applicants' invention, which now calls for:

29. (Currently Amended) A concealed sprinkler head comprising:  
     a sprinkler body having a central orifice with an  
     inlet and an outlet, said inlet configured for attachment to a fire  
     extinguishing fluid supply line;  
     a deflector movably mounted to said sprinkler body;  
     a sealing assembly for sealing said outlet;

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a thermally sensitive trigger assembly configured to releasably urge said sealing assembly into sealing engagement with said outlet;

a housing attached to said sprinkler body and having a bottom extending beyond said outlet, said thermally sensitive trigger assembly positioned between said outlet and said bottom of said housing; and

a cover plate removably mounted to said bottom of said housing, said cover plate having a planar portion and a periphery, wherein at least a section of said periphery projects outwardly from said planar portion away from said sprinkler body to thereby form ~~is formed~~ with at least one passageway section configured to enable air to travel between said passageway section and said bottom of said housing and towards said thermally sensitive trigger assembly.

Applicants respectfully submit that Simons et al. do not disclose or suggest the claimed combination. For example, Simons et al. do not disclose or suggest a concealed sprinkler head that includes a cover plate that is removably mounted to the bottom of the housing of the sprinkler body, with the cover plate having a planar portion and a periphery, which extends around a planar portion, wherein at least a section of the periphery projects outwardly from the planar portion away from the sprinkler body to thereby form at least one passageway section to enable air to travel between the passageway section and the bottom of the housing of the sprinkler body.

In contrast, Simons et al. disclose a sprinkler head cover that has a generally flat body and, therefore, does not disclose or suggest the claimed combination.

With reference to Claim 30, Claim 30 further calls for the passageway section to project radially outward from the bottom of the housing. Applicants respectfully submit this is neither disclosed nor suggested by Simons et al.

With reference to Claim 35, Claim 35 has been rewritten in independent form. Applicants respectfully submit that Simons et al. do not disclose or suggest the claimed

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combination. For example, Simon et al. does not disclose or suggest a concealed sprinkler head that includes a cover plate that is formed with at least one undulation defining a ridge along the periphery of the cover plate, with the ridge defining at least one passageway section.

With respect to Claim 36, Applicants respectfully submit that Simon et al. do not disclose or suggest a cover plate having a plurality of undulations placed in spaced relation.

In addition, with reference to new Claim 51, which depends from Claim 36, Claim 51 further calls for the plurality of undulations to be placed in a radial spaced relation. Applicants respectfully submit, this is neither taught nor suggested by Simons et al. alone or in combination with any other reference of record.

With respect to Claim 47, as noted above, Claim 47 has been rewritten in independent form. Applicants respectfully submit that Simon et al. do not disclose or suggest the claimed combination. For example, Simon et al., as noted above in reference to Claim 35, do not disclose or suggest a concealed sprinkler head with a cover plate that includes at least one undulation formed therein, with the undulation forming at least one passageway section to enable air to travel through the passageway defined thereby and towards the thermally sensitive trigger assembly of the concealed sprinkler head.

In reference to Claims 48, 49, and new Claim 50, Applicants respectfully submit that Simon et al. do not disclose or suggest the claimed combinations for at least the reasons noted above in reference to Claims 36 and 51.

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CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

The Examiner rejects Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Simmons et al.

Claim 8 ultimately depends from Claim 47, which has been rewritten in independent form. Accordingly, Applicants respectfully submit, that Claim 8 is similarly patentably distinguishable over Simmons et al. for at least the reasons set forth above in reference to Claim 47 and Claim 7.

Accordingly, in light of the above amendments and remarks, Applicants respectfully request reconsideration of the present application and allowance of all claims, namely Claims 7, 8, 29, 30, 34-36, and 47-51.

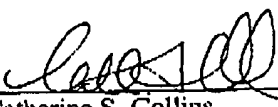
Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at (616) 975-5506. An early and favorable action on the merits is respectfully solicited.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn and Burkhardt, LLP

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